

FORM PTO-1390 (Modified)  
(REV. 1-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

112843-029

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/936,367

INTERNATIONAL APPLICATION NO.  
PCT/EP00/01796INTERNATIONAL FILING DATE  
2 March 2000PRIORITY DATE CLAIMED  
11 March 1999

TITLE OF INVENTION

EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE PRESENCE OF CARBON SOURCES

APPLICANT(S) FOR DO/EO/US

Affolter et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

**Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office  
Return Receipt Postcard**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492(a)(1)) <div style="border: 1px solid black; padding: 2px; display: inline-block;">09/936,367</div>	INTERNATIONAL APPLICATION NO. <div style="border: 1px solid black; padding: 2px; display: inline-block;">PCT/EP00/01796</div>	ATTORNEY'S DOCKET NUMBER <div style="border: 1px solid black; padding: 2px; display: inline-block;">112843-029</div>
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24. The following fees are submitted:..

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :**

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....

\$1040.00

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....

\$890.00

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....

\$740.00

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....

\$710.00

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....

\$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**  

\$0.00

**CALCULATIONS**

PTO USE ONLY

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☒ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS

NUMBER FILED

NUMBER EXTRA

RATE

Total claims

- 20 =

0

x \$18.00

Independent claims

- 3 =

0

x \$84.00

Multiple Dependent Claims (check if applicable).

☐

**TOTAL OF ABOVE CALCULATIONS =**  

\$130.00

☐ Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.

\$0.00

**SUBTOTAL =**  

\$130.00

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

**TOTAL NATIONAL FEE =**  

\$130.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

☐

**TOTAL FEES ENCLOSED =**  

\$130.00

Amount to be: refunded

\$

charged

\$

a. ☒ A check in the amount of   \$130.00   to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No.   02-1818   A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

**Robert M. Barrett, Esq.**  
**Bell, Boyd & Lloyd LLC**  
**P.O. Box 1135**  
**Chicago, Illinois 60690-1135**  
**Tel: (312) 807-4204**

SIGNATURE

**Robert M. Barrett**  
 NAME

**30,142**  
 REGISTRATION NUMBER

**December 21, 2001**  
 DATE

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
112843-29

In Re Application Of: Affolter et al.

Serial No.  
09/936,367

Filing Date  
September 11, 2001

Examiner  
Unknown

Group Art Unit  
Unknown

Title:

**EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE PRESENCE OF CARBON SOURCES**
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Transmittal Letter (duplicate); Response to Notification of Missing Requirements; Copy of Notification of Missing Requirements; Executed Declaration; Check in the Amount of \$130.00; and Return Receipt Postcard.**

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of \$130.00 is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

01/31/2002 UEDUWIJE 00000028 09936367

01 FC:154

130.00 00

*Signature*
**Robert M. Barrett (30,142)**  
**ATTORNEYS FOR APPLICANTS**  
**Bell, Boyd & Lloyd LLC**  
**P.O. Box 1135**  
**Chicago, Illinois 60690-1135**

Dated: December 21, 2001

I certify that this document and fee is being deposited on 12/21/2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*
**Robert J. Buccieri**
*Typed or Printed Name of Person Mailing Correspondence*

CC:

RECEIVED

JAN 29 2002

PCT INITIAL PROCESSING

09/936367

JC07 Rec'd PCT/PTO 23 JAN 2002

BELL, BOYD & LLOYD LLC  
THREE FIRST NATIONAL PLAZA  
70 WEST MADISON STREET, SUITE 3300  
CHICAGO, ILLINOIS 60602-4207  
RMB

Commissioner for Patents  
Washington, DC 20231

BOX PCT

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JAN 23 2002

USPTO MAIL CENTER

**FIRST CLASS MAIL**

DEC 21 '01

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PB METER  
7112768

U.S. POSTAGE

<small>Continuation For Priority, from PCT, United States Patent and Trademark Office, Washington, D.C. 20531, www.uspto.gov</small>		
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/936,367	Affolter	112843-029

INTERNATIONAL APPLICATION NO.
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PCT/EP00/01796

I.A. FILING DATE	PRIORITY DATE
03/02/2000	03/11/1999

Robert M Barrett  
 Bell Boyd & Lloyd  
 PO Box 1135  
 Chicago, IL 60690-1135

CONFIRMATION NO. 4325

371 FORMALITIES LETTER



\*OC000000006984771\*

DUE: 12-30-01

Date Mailed: 10/30/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

**RECEIVED**  
 BELL, BOYD & LLOYD  
 INTELLECTUAL PROPERTY DOCKET

NOV 13 2001 <sup>TK</sup>

ATTY: RMB  
 DOCKET #: 112843-029

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason

(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

PATRICIA A BOOKER

Telephone: (703) 305-3738

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/936,367	PCT/EP00/01796	112843-029